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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Jamie Panico,

Plaintiff,

vs.

Turnbull Law Group, LLC,

Defendant.

No.

COMPLAINT

Plaintiff Jamie Panico, for her Complaint against Defendant, alleges the following:

PARTIES, JURISDICTION, AND VENUE

1. Jamie Panico (“Plaintiff”) was employed by Turnbull Law Group from January 27, 2020 until August 18, 2020. Panico resides in Maricopa County, Arizona.

2. Defendant Turnbull Law Group, LLC (“Defendant”) is an Arizona limited liability company whose principal place of business is Maricopa County, Arizona.

3. Defendant caused events to occur and committed actions in Arizona that are the subject of this Complaint.

4. Defendant is an employer as defined in the Fair Labor Standards Act (“FLSA”) and subject to the provisions of same.

5. This Court has jurisdiction pursuant to 29 U.S.C. § 216(b) and 28 U.S.C. § 1331.

6. Venue is proper in this Court pursuant to 28 U.S.C. § 1391.

GENERAL ALLEGATIONS

7. Plaintiff provided services to Defendant and held the titles of “HR Generalist.”

8. Plaintiff’s duties and responsibilities in connection with her employment with Defendant did not satisfy the requirements of any exemption relating to overtime pay under the FLSA

9. Defendant classified Plaintiff as exempt from the overtime requirements of the FLSA, and did not pay Plaintiff overtime

10. Defendant’s classification of Plaintiff under the FLSA was incorrect; at all times relevant, Plaintiff should have been eligible for and, when appropriate, should have received overtime pay for time worked over 40 hours in any workweek.

11. Prior to August 18, 2020, Plaintiff worked over 40 hours per week during each workweek.

12. Defendant is liable to Plaintiff for unpaid overtime up and through August 18, 2020.

13. Plaintiff was paid a salary of \$60,000 per year.

14. Plaintiff believes she is owed as much as \$32,400 in unpaid overtime. However, this is just a rough estimate.

15. Plaintiff is filing this action to obtain court approval of a settlement of Plaintiff’s FLSA claims.

**COUNT I
UNPAID OVERTIME UNDER THE FLSA**

16. Plaintiff re-alleges the above allegations as if set forth herein.

17. Plaintiff has worked more than 40 hours per week consistently from January 27, 2020 until August 18, 2020.

18. Plaintiff was entitled to be paid one and one-half times her regular rate of pay for overtime work performed in excess of 40 hours per week, pursuant to the FLSA.

3 20. Plaintiff did not fall within any of the exemptions from payment of overtime
4 wages under the FLSA.

5 21. Defendant's actions, as alleged above, constitute a violation of the FLSA.

22. As a result of the above, Plaintiff has suffered damages, including loss of income,
which amount should be determined at trial.

23. As a result of the above, Plaintiff is entitled to judgment against Defendant in a reasonable amount as may be proved at trial, together with liquidated damages under the FLSA, interest, and reasonable attorney's fees and costs incurred herein pursuant to the FLSA.

PRAYER FOR RELIEF

2 WHEREFORE, Plaintiff demands and prays for judgment and relief as follows:

3 A. Awarding judgment in Plaintiff's favor and against Defendant in an amount to be
4 determined at trial for overtime compensation under the FLSA;

5 B. Awarding to Plaintiff her liquidated damages in the amount equal to their actual
6 damages;

7 C. Awarding Plaintiff her costs of suit, reasonable attorneys' fees, and pre-judgment
8 and post-judgment interest; and

9 D. Awarding Plaintiff such further relief as this Court deems just and proper.

DATED this 6th day of December, 2021.

11 **Jaburg & Wilk, P.C.**

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3 /s/Alden A. Thomas
4 Jeffrey A. Silence
Alden A. Thomas
Attorneys for Plaintiffs